

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SANKONA GRAHAM,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No.: 2:24-cv-00790-ART-DJA

ORDER
(ECF No. 13)

This action began with a pro se civil-rights complaint under 42 U.S.C. § 1983 submitted by state prisoner Sankona Graham together with an application to proceed *in forma pauperis*. (ECF Nos. 1-1, 1, 6). On May 14, 2024, the Court entered its screening order dismissing the complaint because it did not comply with the procedural rules governing the joinder of multiple claims and defendants in a single action. (ECF No. 10). The Court ordered that Plaintiff had until June 13, 2024, to file a first amended complaint, if he chose to do so. (*Id.* at 13). The Court instructed the Clerk of the Court to file Plaintiff's original complaint and send him a courtesy copy of it. (*Id.* at 14).

The Clerk of the Court filed Plaintiff's original complaint as directed. (ECF No. 11). Plaintiff then timely filed a first amended complaint. (ECF No. 12). But he also filed a motion to withdraw the complaint at ECF No. 11, arguing it was filed by ESP's law library either by mistake or on purpose with the intent to earn him a strike under the Prison Litigation Reform Act. (ECF No. 13). Plaintiff is mistaken. The complaint at ECF No. 11 was filed by the Clerk of the Court consistent with the Court's screening order, it was not filed by the prison's law library. The part of Plaintiff's motion seeking to withdraw ECF No. 11 is therefore denied.

Plaintiff also notes that he did not receive a copy of ECF No. 10-1, which is a copy of his original complaint that was attached to the Court's screening order. (*Id.* at 1). He asks the Court to electronically resend him that document. There is no indication that Plaintiff has alerted the law library that he received an incomplete copy of the Court's

1 screening order and attachments. Ordinarily, an inmate should attempt to resolve issues
2 about missing or incomplete filings with the law library before filing a motion with the
3 Court. However the Court will direct the Clerk of the Court to resend a purportedly missing
4 document this one time.

5 It is therefore ordered that Plaintiff's motion (ECF No. 13) is granted in narrow part
6 as to sending Plaintiff a second copy of his original complaint at ECF No. 10-1, and it is
7 denied in all other respects.

8 The Clerk of the Court is directed to resend Plaintiff Sankona Graham the copy of
9 his original complaint (ECF No. 10-1).

10 DATED THIS 20th day of May 2024.



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12 UNITED STATES MAGISTRATE JUDGE
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